



DECLARATION AND POWER OF ATTORNEY

As the below named inventors, we hereby declare that:

Our residence and post office addresses and our citizenships are as stated below next to our names.

We believe that we are the original, first and joint inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled TISSUE SPECIMEN ISOLATING AND DAMAGING DEVICE AND METHOD, the specification of which was filed with the United States Patent and Trademark Office on January 13, 2004, and assigned Serial No. 10/756,178.

This application in part discloses and claims subject matter disclosed in earlier filed U.S. applications pending at the time of filing the present application : Serial No. 09/057,303, filed April 8, 1998, now U.S. Patent No. 6,331,166; Serial No. 09/146,185, filed September 1, 1998, now U.S. Patent No. 6,540,693; Serial No. 09/159,467, filed September 23, 1998, now U.S. Patent No. 6,261,241; Serial No. 09/208,535, filed December 9, 1998, now U.S. Patent No. 6,344,036; Serial No. 09/238,965, filed January 27, 1999, now U.S. Patent No. 6,659,105; Serial No. 09/884,349, filed June 18, 2001.

We hereby state that we have reviewed and understand the contents of the above-identified specification, including the claims, as amended by or any amendment(s) referred to above.

We acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56.

We hereby claim foreign priority benefits under Title 35, United States Code §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed: None

We hereby claim the benefit under Title 35, United States Code, §119(e) and §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, we acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

U.S. Application Serial No. 09/057,303, filed April 8, 1998, now U.S. Patent No. 6,331,166

U.S. Application Serial No. 09/146,185, filed September 1, 1998, now
U.S. Patent No. 6,540,693

U.S. Application Serial No. 09/159,467, filed September 23, 1998, now
U.S. Patent No. 6,261,241

U.S. Application Serial No. 09/208,535, filed December 9, 1998, now
U.S. Patent No. 6,344,026

U.S. Application Serial No. 09/238,965, filed January 27, 1999, now
U.S. Patent No. 6,659,105

U.S. Application Serial No. 09/884, 349, filed June 18, 2001.

We hereby declare under penalty of perjury under the laws of the United States of America that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

We hereby appoint the following attorney to prosecute and transact all business in the Patent and Trademark Office connected therewith:

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